

**ZONING REVIEW SHEET****CASE:** C14-2007-0108**P.C. DATE:** August 28, 2007  
September 25, 2007**ADDRESS:** 5300, 5304, and 5400 North Lamar Boulevard**OWNER:** 5400 Lamar Ltd. (Abe Zimmerman)**AGENT:** Drenner & Golden Stuart  
Wolff, LLP. (Michele Rogerson)**REZONING FROM:** CS-MU-CO-NP (Commercial services—mixed use—conditional overlay—neighborhood plan) combining district**TO:** CS-MU-CO-NP (Commercial services—mixed use—conditional overlay—neighborhood plan) combining district. The nature of this request is to consider applying early opt-in determination for Vertical Mixed Use (VMU) to the subject site and to allow implementation of VMU options.**AREA:** 4.843 Acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends CS-MU-CO-NP combining district with conditions. The conditional overlay shall allow the implementation of Vertical Mixed Use (VMU) options on the subject property. Furthermore, under Staff conditions, if the requested zoning is recommended for this site, then 70 feet of right-of-way (ROW) shall be dedicated from the centerline of Lamar Boulevard in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55], in order to accommodate traffic anticipated to be generated by this site. The recommendation is based on the following considerations:

- 1.) The Brentwood/Highland Combined Neighborhood Plan (page 62) encourages the focus of higher density uses on major corridors and add special use options to enhance the corridors; one of which is Lamar Boulevard;
- 2.) Implementation of VMU at this site will be compatible with existing land uses surrounding the subject property;
- 3.) The underlying land use and zoning classification shall be retained;
- 4.) Proposed changes will allow for implementation of VMU on the site to spur redevelopment options offered by VMU;
- 5.) Recommended ROW dedication will address traffic anticipated by this redevelopment; and
- 6.) All conditions as set forth by the Ordinance No. 040513-33A shall be retained.

**DEPARTMENT COMMENTS:**

The subject property consists of a 4.843 acre site zoned CS-MU-CO-NP fronting Lamar Boulevard and West North Loop Boulevard. The property was rezoned on September 26, 2002 by Ordinance No. 040513-33A and imposing conditions (Please see Attachment A) to Tract 64A and 64B including:

- The following uses are conditional uses of Tract 64a:
  - Campground;
  - Equipment repair services;
  - Kennels;
  - Agricultural sales and services;
  - Commercial blood plasma center;

- Equipment sales; and
- Vehicle storage
- Construction sales and services use is a conditional use For Tract 64B.
- The following uses are prohibited uses of Tract 64b:
  - Agricultural sales and services;
  - Commercial blood plasma center;
  - Equipment repair services;
  - Kennels;
  - Outdoor sports and recreation;
  - Campground;
  - Drop-off recycling collection facility;
  - Equipment sales;
  - Outdoor entertainment; and
  - Vehicle storage

Current conditions on the site address conditional and prohibited uses. Land uses on the site include a shopping center, athletic club, warehouse, and a medical office building. Access to the site exists via North Lamar Boulevard and North Loop Boulevard.

The applicant proposes redeveloping the site for apartments and live/work units and to allow the implementation of VMU options on the site. The site lies along a designated Core Transit Corridor in accordance with [LDC Subchapter E – Design Standards and Mixed Use]. Specifically, the provision of 10% of units at 80% median family income (MFI) is proposed to benefit from the density bonus offered by VMU. Furthermore, the applicant seeks to benefit from the dimensional standards and the provision of 60% of parking requirements.

The Brentwood/Highland Combined Neighborhood Plan, (page 62) recommends the following:

***Land Use Objective B5: Focus higher density uses on major corridors and add special use options to enhance the corridors***

***Recommendations:***

- *Add the Mixed-Use (MU) Combining District on Burnet, Lamar, and Koenig Lane east of Woodrow.*
- *Focus higher intensity uses on Burnet Road and Lamar Blvd.*

Implementation of VMU at this site will be in conformance with the goals and objectives of the plan and will be compatible with existing surrounding land uses.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-MU-CO-NP	Shopping center, athletic club, warehouse, and a medical office building
<i>North</i>	CS-MU-CO-NP	Truck rental
<i>South</i>	CS-MU-CO-NP	Retail / warehouses
<i>East</i>	CS-CO-NP	Retail
<i>West</i>	LO-NP	Single family residences

**NEIGHBORHOOD PLAN AREA:**

Brentwood/Highland Combined

**TIA:** N/A (See Transportation comments)**WATERSHED:** Waller Creek**DESIRED DEVELOPMENT ZONE:** Yes**CORE TRANSIT CORRIDOR:** Yes**SCENIC ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

787--Brentwood Neighborhood Planning Contact Team  
 120--Brentwood Neighborhood Assn.  
 283--North Austin Neighborhood Alliance  
 511--Austin Neighborhoods Council  
 687--North Loop Neighborhood Planning Team  
 704--North Loop Neighborhood Planning Liaison-COA  
 740--Brentwood/Highland Combined Neighborhood Planning Team - COA Liaison  
 941--Northfield Neighborhood Assn.  
 742--Austin Independent School District  
 786--Home Builders Association of Greater Austin  
 937--Taking Action Inc.  
 1037--Homeless Neighborhood Organization

**SCHOOLS:**

Austin Independent School District

- Highland Elementary School
- Lamar Middle School
- McCallum High School

**SITE CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-00-2250	CS to GR-MU	02/13/01: APVD STAFF ALT REC OF CS-MU-CO BY CONSENT (9-0)	03/22/01: APVD CS-MU-CO (7-0); ALL 3 RDGS
SP-07-0016C	Consolidated Site Plan for retail/condominiums	N/A	N/A
SP-06-0352C	Consolidated Site Plan for retail/condominiums	N/A	N/A

**SURROUNDING RELATED CASES:**

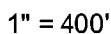
NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-03-0148	MF-3 to GR	11/11/03: APVD GR-MU-CO (5-0)	12/11/03: APVD GR-CO (7-0); 1ST RDG, W/PRIVACY FENCE ALONG JIM HOGG

			AVE  02/12/04: APVD GR-CO (7-0); 2ND/3RD RDGS
C14-04-0113	LR to LI	08/17/04: APVD STAFF REC OF CS-CO (8-0) [DON'T INCL ROW REQ'T TIL DETERMINATION MADE]	09/02/04: APVD CS-CO (7-0); ALL 3 RDGS

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Lamar Blvd	80'	60'	Arterial	No	Intermittent	Yes
North Loop Blvd	60'	50'	Arterial	Yes	Intermittent	No

**CITY COUNCIL DATE:****ACTION:****ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** [jorge.rousselin@ci.austin.tx.us](mailto:jorge.rousselin@ci.austin.tx.us)





5300, 5304, 5400 N. Lamar Blvd.  
C14-2007-0108

**Legend**

Zoning  
Base  
Center Line  
Major Roads

100 0 100 200 Feet

**C14-2007-0108**

# Tabulation

Land Area	4.8 AC	
Studio	23	8%
1 Bedroom	189	59%
2 Bedroom	107	33%
<b>Total</b>	<b>319</b>	<b>Units 66 DU/ AC</b>

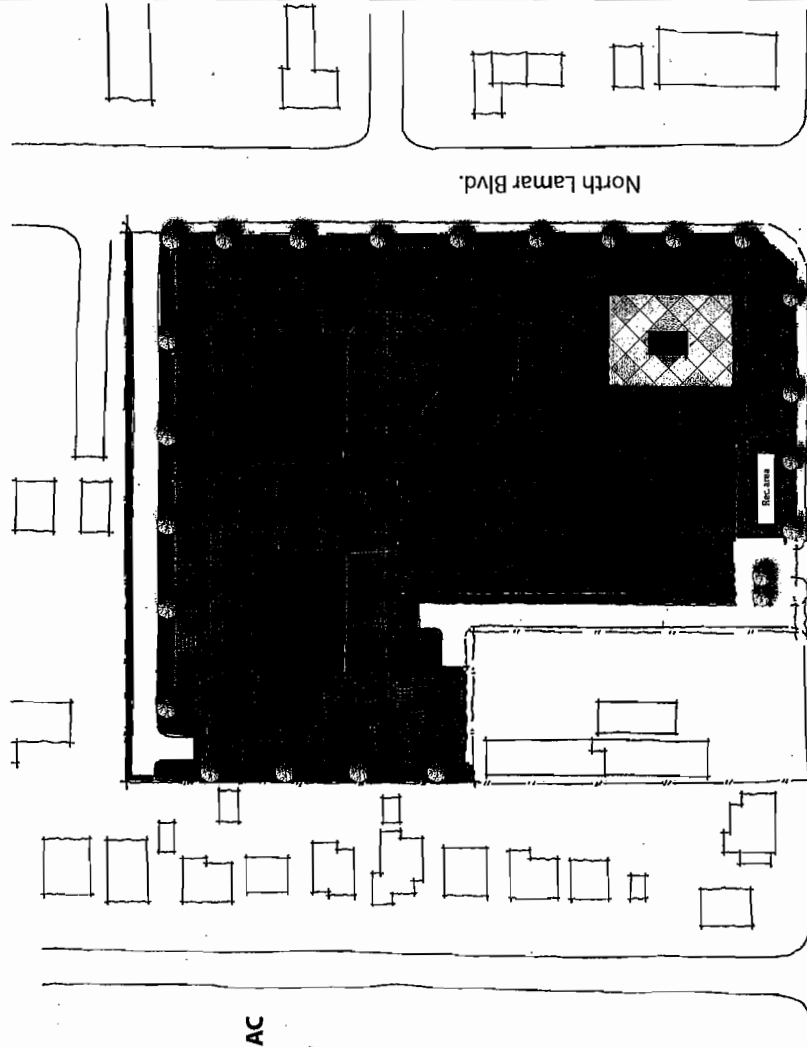
**Average unit size** +/- 900 sf including balcony

**Parking required** 606 Cars

Per 1.9 car per unit

**Parking Provided** +/-606 Cars

101 Cars per level, 1 level below garde 5 levels above garde



North Loop Blvd.

North Lamar Blvd.



## North Lamar - T.O.D

Austin, TX

## STAFF RECOMMENDATION

Staff recommends CS-MU-CO-NP combining district with conditions. The conditional overlay shall allow the implementation of Vertical Mixed Use (VMU) options on the subject property. Furthermore, under Staff conditions, if the requested zoning is recommended for this site, then 70 feet of right-of-way (ROW) shall be dedicated from the centerline of Lamar Boulevard in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55], in order to accommodate traffic anticipated to be generated by this site. The recommendation is based on the following considerations:

- 1.) The Brentwood/Highland Combined Neighborhood Plan (page 62) encourages the focus of higher density uses on major corridors and add special use options to enhance the corridors; one of which is Lamar Boulevard;
- 2.) Implementation of VMU at this site will be compatible with existing land uses surrounding the subject property;
- 3.) The underlying land use and zoning classification shall be retained;
- 4.) Proposed changes will allow for implementation of VMU on the site to spur redevelopment options offered by VMU;
- 5.) Recommended ROW dedication will address traffic anticipated by this redevelopment; and
- 6.) All conditions as set forth by the Ordinance No. 040513-33A shall be retained.

## BASIS FOR RECOMMENDATION

- 1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The requested VMU determination will encourage mixed uses on the site by implementing VMU standards and encouraging a diversification of land uses.

- 2. The proposed zoning should promote consistency and orderly planning.*

The property is currently zoned CS-MU-CO-NP. The proposed change will not modify the base zoning classification nor will it alter established land uses already allowed by zoning. Conditions and restrictions as established by Ordinance No. 040513-33A shall be retained. Furthermore, the Brentwood/Highland Combined Neighborhood Plan encourages the focusing of higher density uses on major corridors and the adding of special use options to enhance the corridors along Lamar Boulevard.

## EXISTING CONDITIONS

### Site Characteristics

The subject property consists of a 4.843 acre site zoned CS-MU-CO-NP fronting Lamar Boulevard and West North Loop Boulevard. The property was rezoned on September 26, 2002 by Ordinance No. 040513-33A and imposing conditions. Current conditions on the site address conditional and prohibited uses. Land uses on the site include a shopping center, athletic club, warehouse, and a medical office building. Access to the site exists via North Lamar Boulevard and North Loop Boulevard.

### Transportation

1. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Lamar Blvd along the property line. If the requested zoning is granted, then 70 feet of



right-of-way should be dedicated from the centerline of Lamar Blvd in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113].

### **Environmental**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time the site is fully developed, so there are no known significant environmental features.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Water and Wastewater**

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater tap permit.

### **Site Plan**

1. At the time of site plan review, this site will be subject to Commercial Design Standards (Subchapter E) regarding building placement, sidewalk standards, street trees, etc. Preliminary meetings with site plan staff to discuss design and layout is suggested. Additionally, a pre-application conference for VMU buildings is required. Please review section 4.3 of Subchapter E prior to site plan submittal.

**ORDINANCE NO. 040513-33A**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 1,015 ACRES OF LAND GENERALLY KNOWN AS THE BRENTWOOD NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 137 TRACTS OF LAND.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 137 tracts of land within the property described in Zoning Case No.C14-04-0012.001, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 1,015 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"), and includes, as follows.

Romeria-Gateway Subdistrict area includes the lots adjacent to Romeria Street between Lamar Boulevard and the Grover Drainage Channel, as shown on Exhibit "B",

generally known as the Brentwood neighborhood plan combining district, locally known as the area bounded by Justin Lane on the north, 45<sup>th</sup> Street on the south, Lamar Boulevard on the east and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

**PART 2.** The base zoning districts for the 137 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, neighborhood office (NO) district, limited office (LO) district, limited office-conditional overlay (LO-CO) combining district, general office (GO) district, general office-conditional overlay (GO-CO) combining district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, community

commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, and limited industrial services-conditional overlay (LI-CO) combining district to family residence-neighborhood plan (SF-3-NP) combining district, townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district, multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

TRACT	ADDRESS	FROM	TO
1	6425, 6507, 6515, 6539, 6549, 6555, 6601, 6701, 6724 & 6825 BURNET LN	CS	CS-MU-CO-NP
1	6706, 6717 & 6801 BURNET LN	CS-1	CS-MU-CO-NP
2	6507 BURNET RD	CS-1	CS-1-MU-CO-NP
3	6507 BURNET LN	CS-CO	CS-MU-CO-NP
3	6511, 6513, 6519, 6521, 6601, 6603, 6611, 6707, 6709, 6711, 6719, 6721, 6733, 6735 & 6801 BURNET LN & 2205 MUROC ST	CS	CS-MU-CO-NP
3	6519, 6521 & 6603 BURNET LN	SF-3	CS-MU-CO-NP
4	2001 JUSTIN LN	LO	LO-MU-NP
4	2005 JUSTIN LN, 2103, 2105, 2107, 2109 & 2201 MUROC ST	LR	LO-MU-NP
4	2201 MUROC ST	CS	LO-MU-NP
5	6804 & 6808 HARDY DR	LO	SF-3-NP

TRACT	ADDRESS	FROM	TO
6	2108 PAYNE AVE	SF-3	LO-MU-NP
7	6431 BURNET LN & 2107 PAYNE AVE	CS	LO-MU-NP
8	6415 & 6421 BURNET LN, 6205, 6225, 6311, 6313 & 6317 BURNET RD	CS	CS-MU-CO-NP
9	6001 BURNET RD	CS	CS-MU-CO-NP
10a	5801, 5819 & 5829 BURNET RD	CS	CS-MU-CO-NP
10b	5607, 5615 & 0 BURNET RD (IMPS ONLY ON LOT 1-4 BLK 1 BROADACRES, AKA 5701-5715 BURNET RD)	CS	CS-MU-CO-NP
10b	0 BURNET RD (IMPS ONLY ON LOT 1-4 BLK 1 BROADACRES: footprint)	LI-CO	CS-MU-CO-NP
10c	5501, 5525, 5531 & 5605 BURNET RD	CS	CS-MU-CO-NP
10c	5501 & 5525 BURNET RD	CS-1	CS-MU-CO-NP
10d	0 BURNET RD (IMPS ONLY ON LOT 1-4 BLK 1 BROADACRES, AKA 1511 BURNET RD, footprint)	CS-1-CO	CS-1-MU-CO-NP
11	5605 BURNET RD	SF-3	LR-MU-CO-NP
12	5615 ADAMS AVE	LO	LR-MU-CO-NP
13	5609 & 5611 ADAMS AVE	CS	CS-MU-CO-NP
13	5613 ADAMS AVE	CS	CS-MU-CO-NP
15a	5425, 5435 & 5437 BURNET RD & 5500 CLAY AVE	CS	CS-MU-CO-NP
15c	5508 CLAY AVE	CS	CS-MU-CO-NP
16	5611 CLAY AVE	LO	SF-3-NP
17	1706 HOUSTON ST	LO	LO-MU-NP
18	1700 HOUSTON ST & 5504 JEFF DAVIS AVE	NO	SF-3-NP
18	1700 HOUSTON ST	MF-3	SF-3-NP
19	5502 & 5504 JIM HOGG AVE	MF-2	SF-3-NP
20	5508 JIM HOGG AVE	MF-2	SF-3-NP
21	5600 & 5602 JIM HOGG AVE	MF-2	MF-2-CO-NP
22	5513 JIM HOGG AVE	MF-2	SF-3-NP
23	5509 JIM HOGG AVE	MF-2	SF-3-NP
24	5624 & 5626 WOODROW AVE	SF-3	MF-3-NP
25	5807 WOODROW AVE	MF-3	SF-3-NP
26	5705 WOODROW AVE	CS	SF-3-NP
26	5705 & 5707 WOODROW AVE	MF-3	SF-3-NP
27	5612 ROOSEVELT AVE	LR	MF-3-NP
28	5513 WOODROW AVE	MF-3	SF-3-NP
29	5506 GROVER AVE	CS	MF-4-NP
30	5401 BURNET RD	CS	CS-MU-CO-NP
31a	5303, 5335 & 5343 BURNET RD	CS	CS-MU-CO-NP
31a	5335 BURNET RD	CS-1-CO	CS-MU-CO-NP
31a	5335 & 5353 BURNET RD	CS-1	CS-MU-CO-NP
31a	5343 BURNET RD	MF-3	CS-MU-CO-NP
31b	5401, 5403 & 5407 CLAY AVE	CS	CS-MU-CO-NP
31b	5401 CLAY AVE	SF-3	CS-MU-CO-NP
32	5400 JEFF DAVIS AVE	MF-3	GR-MU-CO-NP
32	5400 JEFF DAVIS AVE	CS-1	GR-MU-CO-NP

TRACT	ADDRESS	FROM	TO
33	1610 NORTH LOOP BLVD W	MF-3	CS-MU-CO-NP
33	1610 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
34	1510 NORTH LOOP BLVD W	LR	MF-3-NP
35	1402 NORTH LOOP BLVD W	NO	NO-MU-NP
35	1404 NORTH LOOP BLVD W	LO	NO-MU-NP
36	1407 NORTH LOOP BLVD W	LO	MF-3-NP
37	1505 NORTH LOOP BLVD W	LO	LO-MU-NP
38	1507 & 1511 NORTH LOOP BLVD W	LR	LR-MU-CO-NP
39	1509 NORTH LOOP BLVD W	LR-CO	LR-MU-CO-NP
40	5211 JIM HOGG AVE	CS	LO-MU-NP
40	5211 JIM HOGG AVE & 1508 NORTH ST	LR	LO-MU-NP
40	5213 & 5215 JIM HOGG AVE	SF-3	LO-MU-NP
41a	5220 JIM HOGG AVE (abutting front property line); & 5222 JIM HOGG AVE	MF-3	LR-MU-NP
41a	5222 JIM HOGG AVE	CS	LR-MU-NP
41a	5222 JIM HOGG AVE	LR	LR-MU-NP
41b	5220 JIM HOGG AVE ( abutting rear property line)	CS	CS-MU-CO-NP
42	0 (LOT 9 BLK 8 BROADACRES PLUS 1/2 OF ADJ VAC STREET), 5207, 5209, 5239, 5249 & 5255 BURNET RD, 1605 NORTH LOOP BLVD W & 1512 NORTH ST	CS	CS-MU-CO-NP
43	1510 NORTH ST	LR	LR-MU-NP
44	5101, 5111 & 5119 BURNET RD & 1509 NORTH ST	CS	CS-MU-CO-NP
45	1420 51 ST W, 1507 NORTH ST	LO	LO-MU-NP
45	1507 NORTH ST	GO	LO-MU-NP
46	1418 51 ST W	CS	SF-3-NP
47a	0 51 ST W (ABUTS ROW OF 51 ST W; IMPS ONLY ON LOT 9 LESS N5FT BLK 26 SMITH A F ADDN)	CS	GO-MU-CO-NP
47b	1415 51 ST W	LO	LO-MU-NP
47b	1415 51 ST W	GO	LO-MU-NP
48	5005 & 5011 BURNET RD, 5002 & 5004 WOODROW AVE	MF-3	SF-3-NP
49	4901 BURNET RD	GR	GR-MU-CO-NP
50a	5025 BURNET RD	CS	CS-MU-CO-NP
50b	5003, 5005 & 5011 BURNET RD	CS	CS-MU-CO-NP
50c	4901 & 4911 BURNET RD	CS	CS-MU-CO-NP
51	5006 GROVER AVE	LO	SF-3-NP
52	1201 49 1/2 ST W, 1200, 1304 & 1306 49 ST W & 4903 WOODROW AVE	LO	LO-MU-NP
52	1210 49 ST W	SF-3	LO-MU-NP
53	1201 & 1203 49 ST W	SF-3	LO-MU-NP
54	0 (LOT A BLACKSTOCK AND HAYES ADDN) & 4804 GROVER AVE	LO	LO-MU-NP
55	4800 GROVER AVE	LR-CO	LR-MU-CO-NP

TRACT	ADDRESS	FROM	TO
56a	4701, 4705, 4707, 4729, 4801 & 4805 BURNET RD	CS	CS-MU-CO-NP
56a	4705 BURNET RD (abutting Burnet Rd except 2800 sq.ft. building footprint)	LO	CS-MU-CO-NP
56b	4811 BURNET RD	CS	CS-MU-CO-NP
56b	4811 BURNET RD	SF-3	CS-MU-CO-NP
56c	4705 BURNET RD (approx. southern 2800 sq. ft. bldg footprint with 50' of lot abutting Burnet Rd)	CS-1	CS-1-MU-CO-NP
57	4701 BURNET RD	CS-CO	CS-MU-CO-NP
58	4700 GROVER AVE	LO	GO-MU-CO-NP
59a	801, 803 & 807 CAPITOL CT & 4926 LAMAR BLVD N	CS	CS-MU-CO-NP
59b	809 CAPITOL CT	CS	CS-MU-CO-NP
60	5000 LAMAR BLVD N	CS	CS-MU-CO-NP
61	5106, 5112, 5214, 5224 & 5240 LAMAR BLVD N, 813 & 815 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
62	902 NORTH LOOP BLVD W	CS	SF-3-NP
63	900 NORTH LOOP BLVD W	CS	LO-MU-NP
64a	5300 & 5304 LAMAR BLVD N, 814 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
64b	0 (S20FT OF LOT 2A SEC 2 OF RESUB OF A PART OF LT 1 SKYLAND SUBD) & 833 HOUSTON ST, 5400 LAMAR BLVD N & 816 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
64c	819 & 831 HOUSTON ST, 0 (LOT 5 RESUB OF LT 1A SEC 2 OF A RESUB OF PT OF LT 1 SKYLAND SUBD), 5412 & 5414 LAMAR BLVD N	CS	CS-MU-CO-NP
65	0 (LOT 1 HOUSTON STREET SUBD), 0 (LOT 3 HOUSTON STREET SUBD), 900 & 902 HOUSTON ST	SF-3	SF-6-NP
66	5527 SUNSHINE DR	LO	LO-MU-NP
67	5601 SUNSHINE DR	GR	GR-MU-NP
68a	820 HOUSTON ST, 5516, 5520 & 5528 LAMAR BLVD N	CS	CS-MU-CO-NP
68a	5516, 5520 & 5528 LAMAR BLVD N	CS-1	CS-MU-CO-NP
68b	826 HOUSTON ST & 5538 LAMAR BLVD N	CS	CS-MU-CO-NP
68b	5538, 5602, 5604, 5610 & 5624 LAMAR BLVD N & 805 STARK ST	CS-1	CS-MU-CO-NP
68c	5538 LAMAR BLVD N (footprint)	CS-1	CS1-MU-CO-NP
68c	5538 LAMAR BLVD N (footprint)	CS	CS1-MU-CO-NP
69	809 STARK ST	LO-CO	LO-MU-CO-NP
70	807 STARK ST	LO	LO-MU-NP
71	5630 LAMAR BLVD N	CS-1	CS-MU-CO-NP
72	5700 LAMAR BLVD N	CS-1	P-NP
73a	5900 & 5916 LAMAR BLVD N, 900 OLD KOENIG LN	CS	CS-MU-CO-NP



TRACT	ADDRESS	FROM	TO
73a	5900 & 5916 LAMAR BLVD N, 900 OLD KOENIG LN	CS-1	CS-MU-CO-NP
73b	0 (LOT 3 COOK-WALDEN ADDN), 5922, 6000, 6010 & 6100 LAMAR BLVD N	CS-1	CS-MU-CO-NP
73b	5922 LAMAR BLVD N	CS	CS-MU-CO-NP
74	6008 LAMAR BLVD N & 903 ROMERIA DR	CS	MF-3-NP
74	6008 LAMAR BLVD N	CS-1	MF-3-NP
77a	821 BRENTWOOD ST, 6508 & 6518 LAMAR BLVD N	CS-1	CS-MU-CO-NP
77b	0 (APPROX 1.45ACR OF LOT 2-3 RESERVOIR HEIGHTS), 0 (44X91FT OF LOT 3 RESERVOIR HEIGHTS), 6210, 6222, 6310, 6324, 6400, 6406 & 6416 LAMAR BLVD N, 814 & 824 ROMERIA DR, 0 WILD ST (E62.4FT OF LOT 14 BLK A WEST VIEW HEIGHTS)	CS-1	CS-MU-CO-NP
77c	6200 LAMAR BLVD N	CS-1	CS-1-MU-CO-NP
78	6528 & 6534 LAMAR BLVD N	CS-1	CS-1-MU-CO-NP
79a	6610, 6612, 6618, 6702, 6706 & 6712 LAMAR BLVD N	CS-1	CS-MU-CO-NP
79b	6714, 6808 & 6812 LAMAR BLVD N, 0 WILD ST (ABS 697 SUR 7 SPEAR G W ACR .29)	CS-1	CS-MU-CO-NP
79c	6808 LAMAR BLVD N (only building footprint as shown on Exh "D")	CS-1	CS-1-MU-CO-NP
80	0 (E TRI OF LOT 1 BLK 2 CRESTVIEW ADDN SEC 1), 1101 & 1103 JUSTIN LN	SF-3	MF-4-NP
80	0 (E TRI OF LOT 1 BLK 2 CRESTVIEW ADDN SEC 1), 1003, 1101 & 1103 JUSTIN LN	MF-3	MF-4-NP
80	1003 & 1103 JUSTIN LN	LR	MF-4-NP
81	0 (ABS 697 SUR 7 SPEAR G W ACR 8.24) & 6700 ARROYO SECO	SF-3	P-NP
82a	5902 LAIRD DR (abutting Koenig Ln W)	CS	GR-MU-NP
82b	5902 LAIRD DR (abutting Laird Dr)	CS	LR-MU-CO-NP
83	2010 KOENIG LN W	LR	LR-MU-CO-NP
84	1902, 1904, 1906, 1910, 2004 & 2008 KOENIG LN W	LO	LO-MU-NP
84	1908 KOENIG LN W	SF-3	LO-MU-NP
84	2000 & 2002 KOENIG LN W	GO-CO	LO-MU-NP
84	2000 KOENIG LN W	LR	LO-MU-NP
84	2006 KOENIG LN W	LO-CO	LO-MU-NP
85	1900 KOENIG LN W	LO	LR-MU-CO-NP
86	1806 KOENIG LN W	LR	LR-MU-CO-NP
87	1706, 1708, 1800, 1802 & 1804 KOENIG LN W	LR	LO-MU-NP
88	1700, 1702 & 1704 KOENIG LN W	CS	LR-MU-CO-NP
89	1703 PALO DURO RD	MF-3	NO-MU-NP
90	1701 PALO DURO RD	CS	LR-MU-CO-NP
91	1518 KOENIG LN W	SF-3	LR-MU-CO-NP

TRACT	ADDRESS	FROM	TO
92	1500, 1502, 1504, 1506, 1508, 1510, 1512 & 1514 KOENIG LN W	SF-3	LO-MU-NP
92	1514 KOENIG LN W	NO	LO-MU-NP
92	1516 KOENIG LN W	LO	LO-MU-NP
93a	1400 KOENIG LN W	GR-CO	GR-MU-CO-NP
93b	1406 & 1408 KOENIG LN W	LR	LR-MU-CO-NP
93b	1408 KOENIG LN W	SF-3	LR-MU-CO-NP
94	1200, 1206 & 1300 KOENIG LN W	GR	GR-MU-CO-NP
94	1306 KOENIG LN W	CS	GR-MU-CO-NP
94	1308 KOENIG LN W & 5903 WOODROW AVE	LR	GR-MU-CO-NP
95	1100 KOENIG LN W	CS	GR-MU-CO-NP
95	1102 & 1106 KOENIG LN W	GR	GR-MU-CO-NP
95	1108 & 1112 KOENIG LN W	LR	GR-MU-CO-NP
96	5908 AURORA DR	GR	LR-MU-CO-NP
96	5908 AURORA DR	CS	LR-MU-CO-NP
97	1006 KOENIG LN W	SF-3	GR-MU-CO-NP
97	1006 KOENIG LN W	CS	GR-MU-CO-NP
98	908 OLD KOENIG LN	SF-3	GR-MU-CO-NP
98	908 OLD KOENIG LN	CS	GR-MU-CO-NP
99a	5700 GROVER AVE	CS	CS-MU-CO-NP
99b	1303 KOENIG LN W	CS	CS-MU-CO-NP
100	5808 WOODROW AVE	SF-3, LR	LO-MU-NP
101a	1401 KOENIG LN W	LR	GR-MU-CO-NP
101b	1405 KOENIG LN W	LR	LR-MU-CO-NP
102	1501 KOENIG LN W	LO	LR-MU-CO-NP
103	1503, 1505, 1507, 1513, 1515, 1519, 1521, & 1523 KOENIG LN W	LO	LO-MU-NP
103	1509, 1511 & 1517 KOENIG LN W	SF-3	LO-MU-NP
104	1525 KOENIG LN W	LO	LR-MU-CO-NP
105	1615 & 1617 KOENIG LN W	LO	LR-MU-CO-NP
105	1601 KOENIG LN W	SF-3	LR-MU-CO-NP
106	1701 KOENIG LN W	LO	LR-MU-CO-NP
107a	1703, 1705, 1707, 1801, 1803, 1901, 1903, 1905, 1907 & 1909 KOENIG LN W	LO	LO-MU-NP
107a	1911 KOENIG LN W	SF-3	LO-MU-NP
107b	2003 KOENIG LN W	SF-3	LO-MU-CO-NP
107c	2005 KOENIG LN W	SF-3	LO-MU-NP
	2007 KOENIG LN W	NO	
108	4901 WOODROW AVE	LR	LR-MU-NP
109	1203 & 1209 49 ST W	MF-3	LO-MU-NP
109	1209, 1211, 1213, 1301 & 1307 49 ST W	SF-3	LO-MU-NP
110	5617 ADAMS AVE	LO	NO-MU-NP
111	2011 KOENIG LN W	SF-3	LO-MU-NP
112	1704 HOUSTON ST	NO	NO-MU-NP

**PART 3.** The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 4.** Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 through 25-2-1463 of the Code.

**PART 5.** The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP combining district:

1. Front porch setback applies as set forth in Section 25-2-1602 of the Code.
2. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
3. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.

**PART 6.** Urban home special use is permitted on lots in residential districts within the boundaries of Romeria Gateway Subdistrict as set forth in Sections 25-2-1422 through 25-2-1424 of the Code.

**PART 7.** Tracts 1 and 2 may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

**PART 8.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are conditional uses of Tracts 1, 10a, 10c, 15a, 2, 30, 31a, 41b, 42, 44, 50a, 50c, 56a, 56c, 57, 59a, 60, 61, 64a, 64c, 68a, 73a, 77a, 78 and 79a:

Agricultural sales and services  
Commercial blood plasma center  
Equipment sales  
Vehicle storage

Campground  
Equipment repair services  
Kennels

2. Construction sales and services use is a conditional use of Tracts 8, 9, 31b, 33, 50b, 56b, 59b, 64b, 68b, 71, 73b, 77b, 77c, 79b, and 79c.

3. The following uses are prohibited uses of Tract 10b and 10d:

Agricultural sales and services  
Drop-off recycling collection facility  
Equipment sales  
Outdoor sports and recreation  
Kennels

Campground  
Equipment repair services  
Outdoor entertainment  
Commercial blood plasma center  
Vehicle storage

4. The following uses are prohibited uses of Tract 8, 9, 31b, 33, 50b, 56b, 59b, 64b, 68b, 71, 73b, 77b, 77c, 79b, and 79c:

Agricultural sales and services  
Commercial blood plasma center  
Equipment repair services  
Kennels  
Outdoor sports and recreation

Campground  
Drop-off recycling collection facility  
Equipment sales  
Outdoor entertainment  
Vehicle storage

5. The following uses are prohibited uses of Tracts 32 and 49:

Automotive rentals  
Automotive sales  
Commercial off-street parking  
Exterminating services  
Outdoor entertainment  
Pawn shop services  
Service station

Automotive repair services  
Automotive washing (of any type)  
Drop-off recycling collection facilities  
Off-site accessory parking  
Outdoor sports and recreation  
Plant nursery

6. The following uses are prohibited uses of Tract 15c:

Agricultural sales and services	Art and craft studio (general)
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Building maintenance services	Campground
Commercial blood plasma center	Convenience storage
Commercial off-street parking	Drop-off recycling collection facilities
Electronic prototype assembly	Equipment repair services
Equipment sales	Exterminating services
Kennels	Laundry services
Limited warehousing and distribution	Maintenance and services facilities
Monument retail sales	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Plant nursery
Service station	Funeral service
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Restaurant (general)
Restaurant (limited)	Theater
Transitional housing	Transportation terminal
Vehicle storage	Veterinary services

7. A general commercial services (CS) use that is 5,000 square feet or greater is a prohibited use of Tract 15c.
8. A general retail sales (general) use and a general retail sales (convenience) use for an area that exceeds 20,000 square feet of gross floor area is a prohibited use on Tracts 3, 15c, 32, and 49.
9. The following uses are prohibited uses of Tracts 11, 12, 38, 39, 82b, 83, 85, 86, 88, 91, 93b, 96, 101b, 102, 104, 105, and 106:

Service station	Off-site accessory parking
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10. The following uses are prohibited uses of Tract 93a:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Business or trade school
Business support services	Commercial off-street parking
Drop-off recycling collection facilities	Exterminating services

Funeral services  
Hotel-motel  
Indoor sports and recreation  
Outdoor entertainment  
Pawn shop services  
Research services  
Restaurant (limited)

General retail sales (general)  
Indoor entertainment  
Medical offices (exceeds 5000 s.f.)  
Outdoor sports and recreation  
Personal improvement services  
Restaurant (general)  
Theater

11. The following uses are prohibited uses of Tract 99a:

Agricultural sales and services  
Building maintenance services  
Convenience storage  
Laundry services  
Plant nursery  
Construction sales and services  
Electronic prototype assembly  
Equipment sales  
Vehicle storage  
Transitional housing

Art and craft studio (general)  
Campground  
Kennels  
Monument retail sales  
Custom manufacturing  
Commercial blood plasma center  
Equipment repair services  
Maintenance and service facilities  
Veterinary services  
Transportation terminal

12. The following uses are prohibited uses of Tract 99b:

Agricultural sales and services  
Building maintenance services  
Convenience storage  
Laundry services  
Construction sales and services  
Electronic prototype assembly  
Equipment sales  
Veterinary services  
Transportation terminal

Art and craft studio (general)  
Campground  
Kennels  
Monument retail sales  
Commercial blood plasma center  
Equipment repair services  
Maintenance and service facilities  
Transitional housing

13. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 3, 11, 12, 15c, 38, 39, 82b, 83, 85, 86, 88, 90, 91, 93b, 96, 101b, 102, 104, 105, and 106.



14. The following uses are prohibited uses of Tract 101a:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Automotive sales
Business or trade school	Business support services
Commercial off-street parking	Communication services
Drop-off recycling collection facilities	Exterminating services
Funeral services	General retail sales (general)
Hospital services (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Personal improvement services
Research services	Theater

15. The following uses are conditional uses of Tract 101a:

Medical offices (exceeding 5000 sq. ft.)	Hospital services (limited)
Community recreation (private)	Community recreation (public)
Congregate living	Residential treatment

16. Private secondary educational facilities use is a prohibited use of Tract 107b.

17. The following uses are prohibited uses of Tract 94, 95, 97, 98, 99a, and 99b:

Drop-off recycling collection facility	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services

18. The following uses are prohibited uses of Tract 90:

Custom manufacturing	Financial services
Off-site accessory parking	Pet services
Plant nursery	Service station

19. The following uses are conditional uses of Tract 90:

College and university facilities	Private secondary educational facilities
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20. The following uses are conditional uses of Tracts 15c, 99a, and 99b:

Plant nursery	Custom manufacturing
---------------	----------------------

21. The following uses are prohibited uses of Tract 3:

Agricultural sales and services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Campground	Commercial blood plasma center
Commercial off-street parking	Convenience storage
Drop-off recycling collection facility	Equipment repair services
Equipment sales	Exterminating services
Kennels	Laundry services
Maintenance and service facilities	Monument retail sales
Off-site accessory parking	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Service station	Vehicle storage

22. The following uses are prohibited uses of Tract 58:

Business or trade school	Business support services
Off-site accessory parking	Personal services
Restaurant (limited)	

23. The following uses are prohibited uses of Tract 47a:

Business or trade school	Business support services
Off-site accessory parking	Restaurant (limited)

24. The following conditions apply to Tracts 94, 95, 97, 98, 99a and 99b:

- A. The maximum height of a building or structure is 40 feet from ground level.
- B. A building or structure may not exceed a height of three stories.

25. The following condition applies to Tract 93a:

There shall be no more than one driveway approach from Tract 93A to Koenig Lane and another to Woodrow Avenue.

26. The following conditions apply to Tract 90:

- A. The maximum height of a building or structure is 35 feet from ground level.
- B. The minimum interior side yard setback is five feet.
- C. The minimum rear yard setback is five feet.
- D. The maximum building coverage is 50 percent.
- E. The maximum impervious cover is 70 percent.

27. The following conditions apply to Tract 21:

- A. The maximum height of a building or structure is 30 feet from ground level.
- B. The maximum number of dwelling units is 12 units per acre.

28. The following conditions apply to Tract 47a:

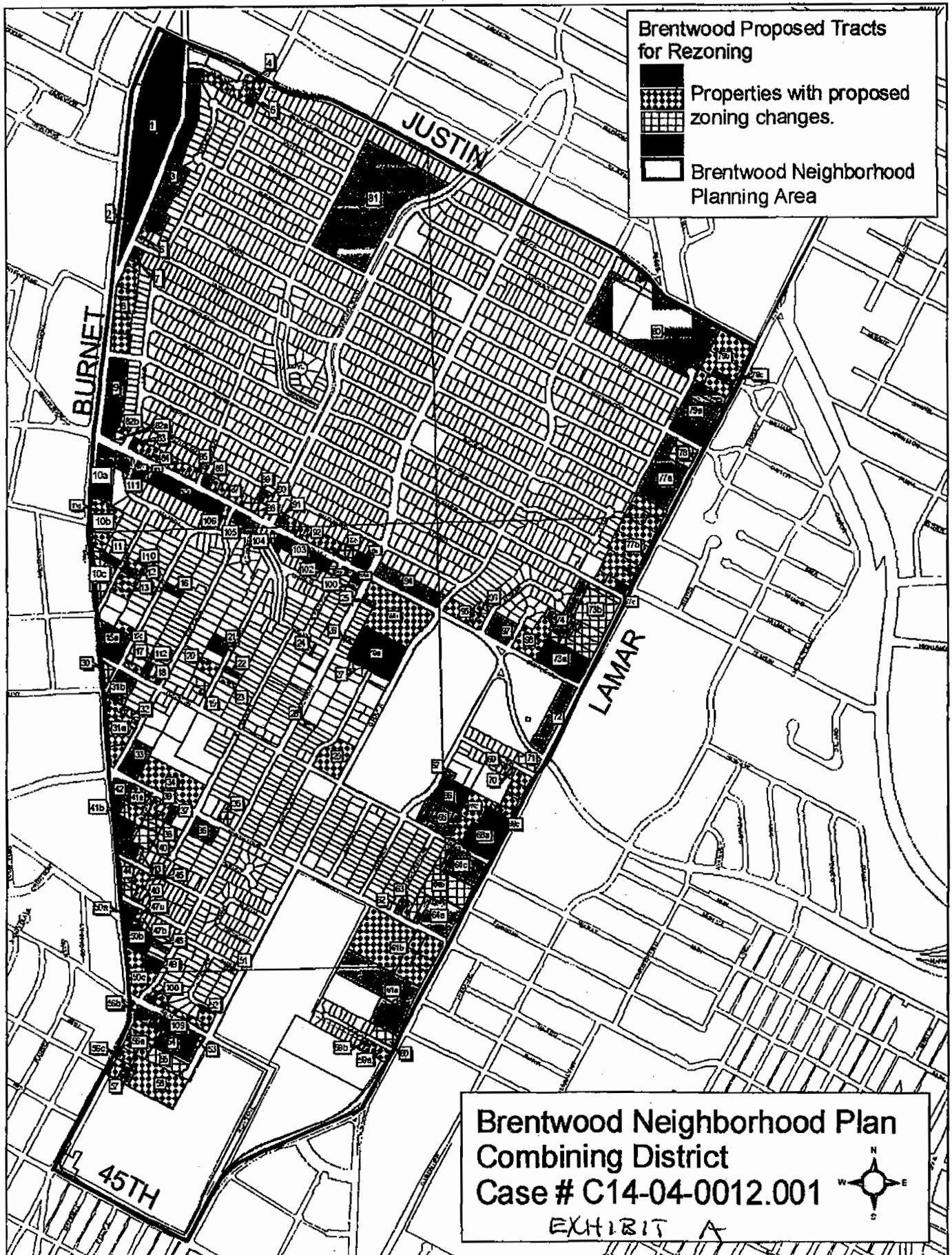
- A. The maximum height of a building or structure is 40 feet from ground level.
- B. The minimum front setback is 25 feet.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

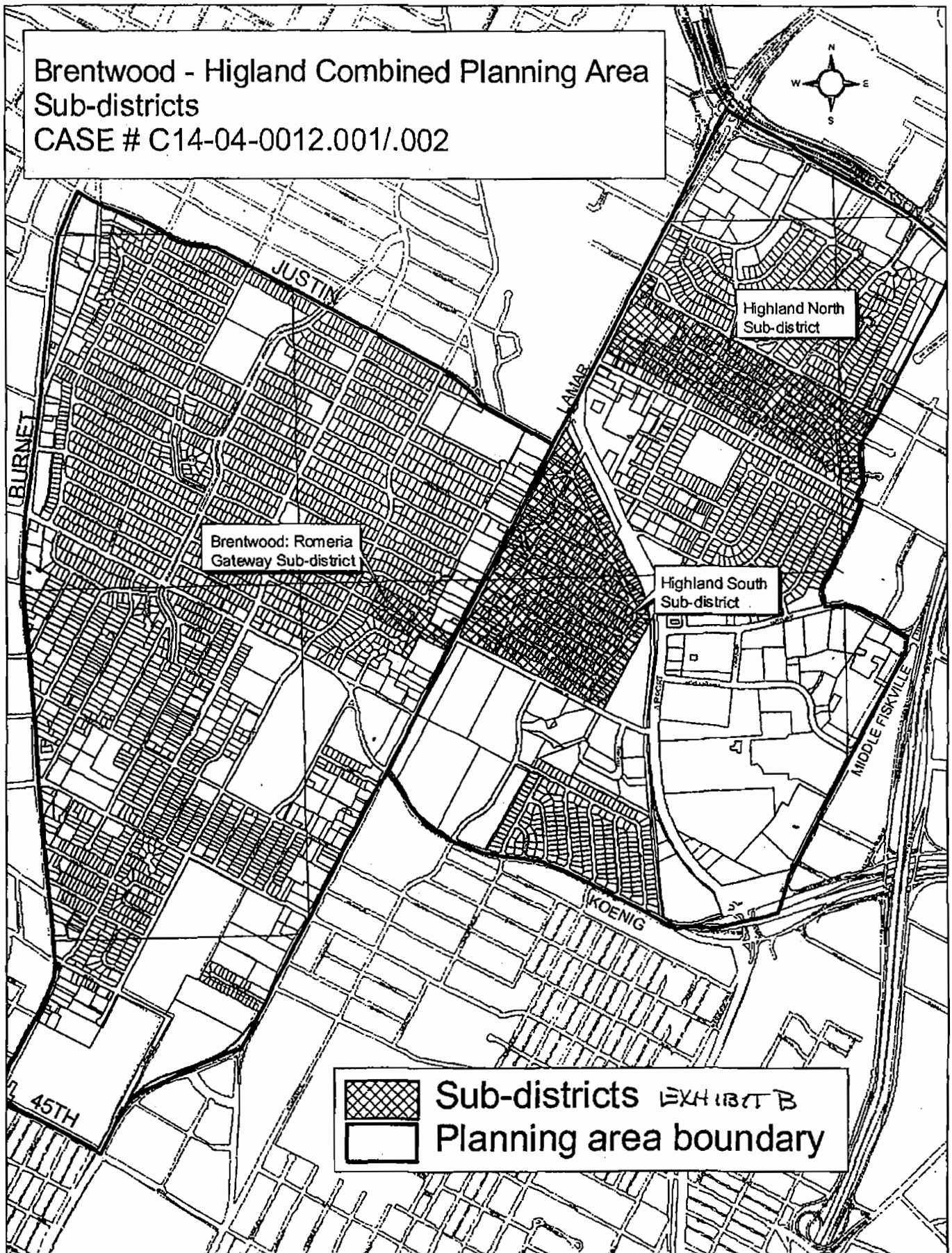
**PART 9.** This ordinance takes effect on May 24, 2004.

**PASSED AND APPROVED**

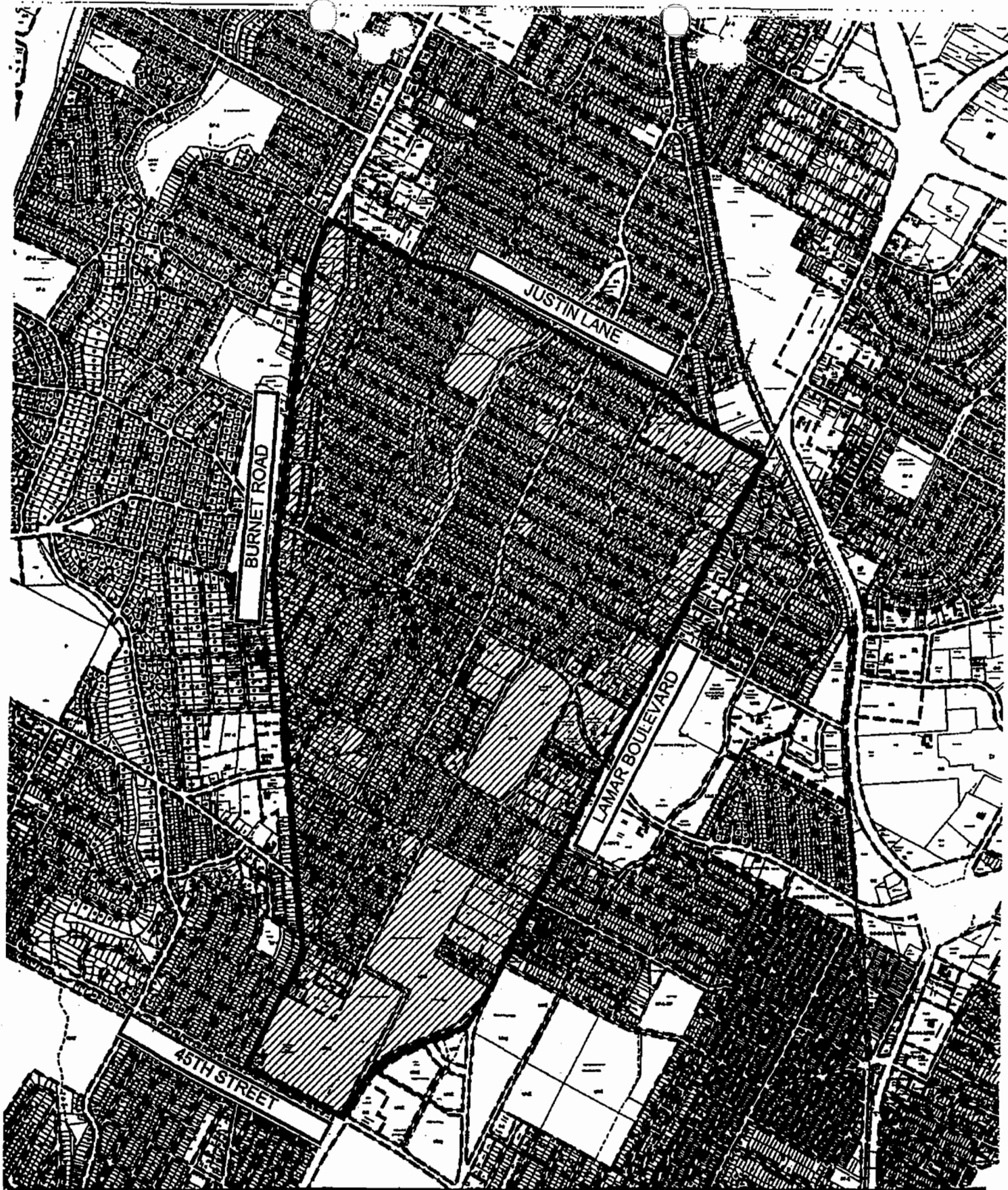
\_\_\_\_\_, May 13, 2004      §  
   §  
   §  
   Will Wynn  
   Mayor  
**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                                 David Allan Smith      Shirley A. Brown  
                                 City Attorney      City Clerk



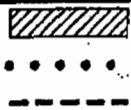
Brentwood - Highland Combined Planning Area  
Sub-districts  
CASE # C14-04-0012.001/.002







SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY  
 CASE MGR: A. BEAUDET



CASE #: C14-04-0012.001

ADDRESS: BRENTWOOD NEIGHBORHOOD

PLAN  
 SUBJECT AREA (acres): N/A

ZONING EXHIBIT C

DATE: 04-01

INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 J,K & L 26-2'  
 9



## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number: C14-2007-0108**

**Contact:** Jorge E. Rousselin, (512) 974-2975

**Public Hearing:**

August 28, 2007 Planning Commission; September 27, 2007 City Council

*Evan Rivera*

Your Name (please print)

*S314 McCandless*

Your address(es) affected by this application

*[Signature]* *7/26/07*

Signature

Date

Comments:

*Exactly the kind of redevelopment we want*

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
--

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Jorge E. Rousselin, Zoning Case Manager

P. O. Box 1088

Austin, TX 78767-1088

Robin L. Scott  
5405 McCandless St.  
Austin, TX 78756

**RECEIVED**

**AUG 13 2007**

**Neighborhood Planning & Zoning**

City of Austin  
Council Members and  
Planning Commission  
c/o Jorge Rousselin  
PO Bx 1088  
Austin, TX 78767-1088

Dear Mr. Rousselin:

This is a follow-up to our phone conversation earlier this week in regard to Case Number C14-2007-0108, which is related to the property in the block of 5400 North Lamar.

As we discussed, I have sent to my neighbors the information as I understand it. I am registering my concerns with the Council and the Commission by way of enclosing the material I distributed this weekend.

Please see Item 2 on page two of the enclosure, which itemizes my concerns.

Thanks for all your courteous assistance, and for your work.

Regards -



Robin L. Scott

PS -- I would also add a concern and request that the street light at 5404 McCandless be repaired, as the light is completely dark as of the past couple months. (I realize this is not a request directly related to the property issue at hand, but ask that you forward the request to the appropriate department for attention).

From Robin & Liz

To Our McCandless Friends --

This is about the notice we received from the City regarding an application for rezoning of the land just behind our houses on the East side of McCandless. I'm not sure if those of you on the West side of the street received the notices, but I've attached a copy for your convenience.

Please note this -- There's a meeting at **the Lions' Club Hall on Justin Lane this Monday, August 6, 7pm**. This meeting is with the owner/developer and I think with the neighborhood association. It's not mentioned in the City notice, but I got the information when I spoke with Jorge Rousselin at the Neighborhood Planning and Zoning Department.

I have no idea what the neighborhood association is doing on this, but it would be worth going on Monday night just to see, and to be able to ask about what type stores, residences, etc., they have in mind. I won't be able to attend Monday night (it's my b'day), but *I hope some reps from our street will go and hear the details of the plan.*

**Meanwhile, public hearing are scheduled at the City Council Chambers, 301 W. 2<sup>nd</sup> Street, for August 28, 6pm, and for September 27 at 4pm.**

**For more info, call Jorge at 512/974-2975.**

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***On the Back of This Page:***

- 1. Here's some background info I was told***
  - 2. Here's what I think we should be concerned about and ask for***
  - 3. Here's the address where you can write to the City Council and Planning Commission. Jorge said they have to consider the written or live testimony of the residents, so please consider writing if you can't go.***
-

1. The property RIGHT NOW is zoned commercial, with most buildings right up close to our backyard fences. RIGHT NOW, with current zoning, the owners are able to build vertically to 60 feet (6 stories high). The requested zoning change is so that they can build 'mixed use' rather than just commercial. I take this to mean condos above retail, ala **Triangle**. Jorge did tell me that any NEW construction would have to back off our property lines by 25 feet, and not be used for parking or driveway either (unless the owner files an additional application for a waiver of that limitation). Further, any NEW construction would have to be 'graduated' in height, being lower toward our houses, and taller toward the street (again, unless the owner files an additional application later for a waiver of that limitation).

2. Not to speak for everyone, but here's what I think we should be concerned about and mention to them:

- It's already a problem that the commercial solid waste collectors come and bang their stuff every night, anywhere from 1am to 5am. *We do not want that to continue, or to increase.*
- Gil Elsass runs a lovely daycare, Elsass Academy, from the area behind our house at 5405 on over to Houston Street. *We don't want those kids or their parents to be jeopardized in any way.*
- *We don't OUR OWN kids and pets to be jeopardized, nor do we want our street to have continued or increased thru-traffic, and we WANT SPEED BUMPS PUT IN.*
- *We want the litter and speeding problems along Houston street to be addressed and corrected, not increased.*
- *We don't want any 'back alley' or car activity just beyond our fences. That will bring safety, noise and litter problems.*
- *We don't want any approvals for high-rise 'overlookers' right up next to us, gazing down into our yards and into the backs of our homes. If they can go up that high, we should be able to go up higher than 8 feet on our own fences.*
- *Airflow – think about it. Please don't block our sky or our airflow. Birds, pets, kids – we all use our back yards.....*

3. Here's where to write and/or call. And don't forget the meetings (see above):

City Council Members & Planning Commission  
c/o Jorge E. Rousselin  
PO Box 1088  
Austin, TX 78767-1088

- For more info, call Jorge (a nice guy) at 974-2975 (his direct line).

***Love and Best Regards – Robin and Liz, 5405 McCandless.***



# NOTICE OF PUBLIC HEARING REZONING

*Aug 6  
mlg*

*Retail & Resid.*

Mailing Date: July 25, 2007

Case Number: C14-2007-0108

Este aviso le informa de una audiencia pública tratando un cambio de zonificación dentro de una distancia de 300 pies de su propiedad. Si usted desea recibir una copia de este aviso en español, por favor llame al (512) 974-7668.

Please be advised that the City of Austin has received an application for a zoning change.

Owner: 5400 Lamar Ltd. (Abe Zimmerman)

Telephone: 512-426-0995

Agent: Drenner & Golden Stuart Wolff, LLP  
(Michele Rogerson)

Telephone: 512-404-2251

Address and/or Legal Description: 5300, 5304, and 5400 North Lamar Boulevard

## Proposed Zoning Change

From: CS-MU-CO-NP – **General Commercial Services district** is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. MU – **Mixed Use combining district** is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development CO – **Conditional Overlay combining district** may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. NP – **Neighborhood Plan district** denotes a tract located within the boundaries of an adopted Neighborhood Plan.

To: CS-MU-CO-NP – **General Commercial Services district** is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. MU – **Mixed Use combining district** is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development CO – **Conditional Overlay combining district** may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. The **Conditional Overlay (CO) Combining district** designation will permit Vertical Mixed Use on the site. NP – **Neighborhood Plan district** denotes a tract located within the boundaries of an adopted Neighborhood Plan.

*Compatibility issues.*

*— 60' is MAX allowable —*

The nature of this request is to consider applying Vertical Mixed Use (VMU) to the subject site only. For more information on VMU, please visit the following website: [www.ci.austin.tx.us/planning/designstandards.htm](http://www.ci.austin.tx.us/planning/designstandards.htm)

This application is scheduled to be heard by the Planning Commission on August 28, 2007. The meeting will be held at City Hall Council Chambers, 301 West 2nd Street beginning at 6:00 PM.

This application is scheduled to be heard by the City Council on September 27, 2007. The meeting will be held at City Hall Council Chambers, 301 West 2nd Street beginning at 4:00 PM.

You are being notified because City Ordinance requires that all property owners within 300 feet of the proposed development and affected neighborhood organizations be notified when an application is scheduled for a public hearing. If you have any questions concerning this application, please contact Jorge E. Rousselin of the Neighborhood Planning and Zoning Department at (512) 974-2975 and refer to the Case Number at the top right of this notice. However, you may also find information on this case at our web site <https://www.ci.austin.tx.us/devreview/index.jsp>.

For additional information on the City of Austin's land development process, please visit our web site [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

*Applicant*

*Aug 6*

*25' = 0*  
*11 pm*

## INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / re zonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la Internet:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

*Aug 28 Sept 22*

**Numero de caso:** C14-2007-0108

**Persona designada:** Jorge E. Rousselin, (512) 974-2975

**Audiencia Publica:**

August 28, 2007 Planning Commission; September 27, 2007 City Council

☐ I am in favor  
☐ I object

Su nombre (en letra de molde)

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Comentarios:

*City Council Member*

*Planning Commissioner*

*PO Box 1088*

*Austin 78767-1088*

*C/o Jorge E. Rousselin*

Si usted usa esta forma para proveer comentarios, puede retornarlos a:

City of Austin

Neighborhood Planning and Zoning Department

Jorge E. Rousselin, Zoning Case Manager

P. O. Box 1088

Austin, TX 78767-1088



Drenner Golden  
Stuart Wolff LLP  
ATTORNEYS AT LAW

**RECEIVED**  
**AUG 21 2007**  
**Neighborhood Planning & Zoning**

MICHELE R. ROGERSON  
SENIOR DEVELOPMENT PLANNER

(512) 404-2251  
mrogerson@drennergolden.com

August 21, 2007

Mr. Greg Guernsey  
Neighborhood Planning and Zoning Department  
City of Austin  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, TX 78704


**VIA HAND DELIVERY**

RE: C14-2007-0108, Camden/North Lamar, located at 5300-5304 &  
5400 North Lamar ("Property"), request for Vertical Mixed Use  
(VMU) early opt in/out determination.

Dear Greg:

As representatives of the property owner of the above stated Property, we respectfully request postponements of the public hearings for Planning Commission from August 28, 2007 to September 25, 2007 and City Council from September 27, 2007 to October 11, 2007.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,  
  
Michele Rogerson

cc: Jorge Rousselin, Neighborhood Planning and Zoning Department (via facsimile at 974-6054)